

**REMARKS**

At the outset, the Examiner is thanked for the thorough review and consideration of the subject application. The Office Action of September 24, 2003 has been received and contents carefully reviewed.

Claims 1, 3-6, 8-19 and 22-51 are currently pending in the present application. Reexamination and reconsideration of the application are respectfully requested.

In the Office Action, the Examiner rejected claims 1, 3-6, 8-19 and 22-51 under 35 U.S.C. § 103(a) as being unpatentable over Yokoyama et al. (U.S. Patent No. 6,507,379); rejected claims 1, 3-6, 8-19 and 22-51 under 35 U.S.C. § 103(a) as being unpatentable over Okabayashi et al. in view of Yokoyama et al. Applicants respectfully traverse these rejections.

Claims 1, 5, 11, 16, 22 and 30 are allowable over the cited reference in that claims 1, 5, 11, 16, 22 and 30 recite a combination of elements including, for example, "wherein the first and second substrates perform an additional function of polarization." None of the cited references, singly or in combination, teaches or suggests at least these features of the claimed invention. Accordingly, Applicants respectfully submit that claims 1, 5, 11, 16, 22 and 30, and claims 3-4, 6, 8-10, 12-15, 17-19, 23-29 and 31-37, which depend therefrom, are allowable over the cited references.

In order to cure the deficiencies of Yokoyama et al., the Examiner takes an Official Notice and states on page 2 of the Office Action, "It is known and a common goal in the art to minimize components, thus resulting in several advantages such as a thinner display, which is accomplished by eliminating extra layers." Applicants respectfully submit that to establish a *prima facie* case of obviousness under 35 U.S.C. § 103, the prior art references when combined must at least teach or suggest all the claim elements. However, Applicants respectfully submit that instead of proving the elements or limitations recited above using prior art, the Examiner takes the Official Notice only to show an advantage of the present invention. Accordingly, Applicants respectfully traverse this Official Notice, and request the Examiner to provide a documentary evidence to show the elements or limitations recited above and to provide some

suggestions or motivations to combine reference teachings with a reasonable expectation of success. Applicants further respectfully submit that "While official notice may be relied on, these circumstances should be rare when an application is under final rejection or action under 37 CFR 1.113." See M.P.E.P. 2144.03

Claims 38-43 are allowable over the cited references in that claims 38-43 recite a combination of elements including, for example, "a light emitting structure formed on an outer surface of a first substrate, the light emitting structure including a first electrode over the outer surface of the first substrate, wherein the first substrate is in direct contact with the light emitting structure." None of the cited references teaches or suggests at least this feature of the present invention.

In order to cure the deficiencies of Yokoyama et al. and Okabayashi et al., the Examiner takes an Official Notice and states on page 3 of the Office Action, "It has been known in the art that gap(s) existing between layers yields disadvantages such as parallax effect, and thus it has been known in the art to minimize or eliminate such gap." For the similar reasons set forth above, Applicants respectfully traverse this Official Notice, and request the Examiner to provide a documentary evidence to show the elements or limitations recited above and to provide some suggestions or motivations to combine reference teachings with a reasonable expectation of success.

Claims 44-51 are allowable over the cited references in that claims 44-51 recite a combination of features including forming a light emitting structure on an outer surface of a first substrate, wherein forming the light emitting structure includes forming a first electrode over the outer surface of the first substrate, forming an organic layer on the first electrode, forming a second electrode on the organic layer, forming a thin film transistor (TFT) array including thin film transistors and a pixel electrode on a surface of the first substrate; and providing a liquid crystal layer between the first substrate and a second substrate. None of the cited references teaches or suggests at least these features of the present invention.

Applicants believe the foregoing response place the application in condition for allowance and early, favorable action is respectfully solicited. If the Examiner deems that a

telephone conference would further the prosecution of this application, the Examiner is invited to call the undersigned attorney at the telephone number (202) 496 - 7500. All correspondence should continue to be sent to the below-listed address.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time, or any other fees required to complete the filing of this response, may be charged to Deposit Account No. 50-0911. Please credit any overpayment to deposit Account No. 50-0911.

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Respectfully submitted,

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